



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Set a Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas Sr., regarding the Notice and Order to Vacate issued for the property located at 305 E. Maple Street, Lodi.

MEETING DATE: June 5, 2002

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council set a public hearing for June 19, 2002, to consider an appeal from tenant Pablo Palaganas Sr., regarding a Notice and Order to Vacate issued for the single-family dwelling at the property located at 305 E. Maple Street, Lodi, California.

BACKGROUND INFORMATION: Pablo Palaganas Sr. is the tenant of the single-family dwelling located at 305 E. Maple Street, a residential property on which there is a single-family dwelling and a four-unit apartment building. In response to complaints regarding the conditions of the property and the obvious blighted and substandard conditions noted around the single-family dwelling during the inspection of the rear apartment units, code enforcement personnel from the Community Improvement Division had the opportunity to inspect the single-family dwelling and found severe substandard building conditions. Those conditions, which include the lack of required heating facilities, hazardous wiring installations and the improper occupancy of the basement area as living space, warranted that the building be posted with a Notice to Vacate.

Subsequent to the posting of that Notice to Vacate, Mr. Palaganas has appealed and is asking that they be allowed to stay in the dwelling for an additional two months. He states that the place that he has located to move to will not be ready until then.

Mr. Palaganas' appeal to the City Council as our Board of Appeals is in accordance with the requirements of the Uniform Housing Code and the Lodi Municipal Code.

FUNDING: No funding required.

Kenradt Bartlam
Community Development Director

Prepared by Community Improvement Manager Joseph Wood

KB/jw

c: City Attorney
Property Owner
Appellant

APPROVED: _____

H. Dixon Flynn -- City Manager

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR APPEAL
BEFORE THE LODI CITY COUNCIL

SUBJECT ADDRESS OF APPEAL:

305 E. MAPLE STREET, LODI, CALIFORNIA PARCEL NO. 047-220-02

NAME(S) AND OFFICIAL MAILING ADDRESS(ES) OF APPELLANT(S):

PABLO PALAJANAS

P.O. BOX 751

CLEMENTS, CA 95227

☐ Additional Names Attached

BRIEF STATEMENT OF INTEREST IN THE SUBJECT ADDRESS:

Tenant in residence for past nine (9) months. I reside there with an adult son, who
is unemployed, and a friend and his wife.

☐ Continued On Additional Page

BRIEF STATEMENT OF THE ORDER OR ACTION PROTESTED, TOGETHER WITH ANY MATERIAL FACTS CLAIMED TO SUPPORT THE CONTENTION OF THE APPELLANT(S):

Notice to Abate Hazardous Building, posted on May 3, 2002. There are several items
listed that need to be repaired in order to make the house habitable. I can stop people
from sleeping in the basement, and I can clean up and remove inoperable cars and junk from
the property. The rest will have to be done by the Owner.

☐ Continued On Additional Page

BRIEF STATEMENT OF THE RELIEF SOUGHT AND THE REASONS WHY IT IS CLAIMED THE PROTESTED ORDER OR ACTION SHOULD BE REVERSED, MODIFIED OR OTHERWISE SET ASIDE:

I am 60 years old. I recently had surgery on my right arm and cannot work. I have located
a place to move to; however, it will not be ready to occupy for two months. I am requesting
that I be allowed to remain in the house until the new residence is ready. I have tried
to find other places but cannot qualify based on my income and disability.

☐ Continued On Additional Page

I, PABLO PALAJANAS DECLARE, UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION FOR
APPEAL IS TRUE AND CORRECT.

Pablo Palajan Jr.

SIGNATURE

MAY 13, 2002

DATE

SIGNATURES OF ALL PARTIES NAMED AS APPELLANTS:

ACCEPTED BY: [Signature]

DATE: 5/13/02

TIME: _____

\$250.00 FEE PAID: _____

CHECK NO.: #2917

FEE WAIVED: _____



DECLARATION OF MAILING

Set Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi

On June 6, 2002 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, and additionally, United States certified mail envelopes with first-class postage prepaid thereon and indication of return receipt requested, containing a letter of notification, a copy of which is attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

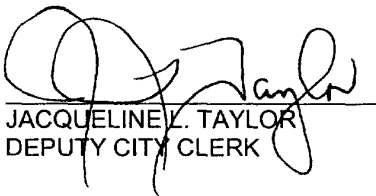
I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2002, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:


JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK



MAILING LIST

PUBLIC HEARING FOR JUNE 19, 2002 TO CONSIDER AN APPEAL FROM TENANT
PABLO PALAGANAS, SR. REGARDING NOTICE AND ORDER TO VACATE ISSUED
FOR THE PROPERTY LOCATED AT 305 EAST MAPLE STREET, LODI

Property Tenant Appealing Order:

Pablo Palaganas, Sr.
P.O. Box 751
Clements, CA 95227

(sent 2 letters, one via U.S. mail and one via U.S. Certified mail)

Property Owner of Record:

Kaur Ashwinder & Amar Singh Mathfallu
P.O. Box 581
Acampo, CA 95220

(sent copy of letter via U.S. mail)

Other Tenants at that Property:

Cielo Hernandez
305½ East Maple Street #1
Lodi, CA 95240

(sent copy of letter via U.S. mail)

Gabriel & Maria Cepeda
305½ East Maple Street #2
Lodi, CA 95240

(sent copy of letter via U.S. mail)

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN S. NAKANISHI

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

June 6, 2002

MAILED CERTIFIED MAIL #7000 1670 0008 4483 0954
AND REGULAR U.S. POSTAL DELIVERY

Pablo Palaganas, Sr.
P.O. Box 751
Clements, CA 95227

**RE: PUBLIC HEARING FOR JUNE 19, 2002 TO CONSIDER AN APPEAL FROM
TENANT PABLO PALAGANAS, SR. REGARDING NOTICE AND ORDER TO
VACATE ISSUED FOR THE PROPERTY LOCATED AT 305 EAST MAPLE
STREET, LODI**

This letter is to notify you that a Public Hearing will be held by the City Council on **Wednesday, June 19, 2002**, at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.


This hearing is being held to consider the appeal of Pablo Palaganas, Sr. regarding the Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.
Note: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters, and, if one is needed, it shall be the responsibility of the person needing one.

Should you have any questions, please contact Community Improvement Manager Joseph Wood in the Community Development Department at (209) 333-6823.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JLT

cc: Community Development Director
Kaur Ashwinder and Amar Singh Mathfallu
Cielo Hernandez
Gabriel & Maria Cepeda

pubhear/notices/LappealLtr.doc

CITY OF LODI

CITY HALL, 221 W. PINE ST.
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910


Office of the City Clerk

Pablo Palaganas, Sr.
P.O. Box 751
Clements, CA 95227

n the reverse side?	SENDER: <ul style="list-style-type: none">Complete items 1 and/or 2 for additional services.Complete items 3, 4a, and 4b.Print your name and address on the reverse of this form so that we can return this card to you.Attach this form to the front of the mailpiece, or on the back if space does not permit.Write "Return Receipt Requested" on the mailpiece below the article number.The Return Receipt will show to whom the article was delivered and the date delivered.	I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
	RETURN ADDRESS complete: Pablo Palaganas, Sr. P.O. Box 751 Clements, CA 95227	7000 1670 0008 4483 0978 4b. Service Type: <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD 7. Date of Delivery
5. Received By: (Print Name)	8. Addressee's Address (Only if requested and fee is paid)	

PLACE TICKET IN TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS FOLD ALONG DOTTED LINE

CERTIFIED MAIL



7000 1670 0008 4483 0978
7000 1670 0008 4483 0978

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Postage	\$.34
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	—
Total Postage & Fees	\$ 3.94
Sent to	Pablo Palaganas, Sr.
Street	PO Box 751
City, State, ZIP	Clements, CA 95227



DECLARATION OF POSTING

**Set Public Hearing for June 19, 2002 to consider an appeal from tenant
Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the
property located at 305 East Maple Street, Lodi**

On Thursday, June 6, 2002 in the City of Lodi, San Joaquin County, California, a copy of Notice of Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi (attached hereto, marked Exhibit "A") was posted at the following four locations:


Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**



Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: June 19, 2002

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, June 19, 2002** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi, California.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

A handwritten signature in cursive script that reads "Susan J. Blackston".

Susan J. Blackston
City Clerk

Dated: June 5, 2002

Approved as to form:

A handwritten signature in cursive script that reads "Randall A. Hays".

Randall A. Hays
City Attorney